

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re OPTIONABLE SECURITIES  
LITIGATION

Case No. 07 Civ. 03753 (LAK)

**NOTICE OF MOTION AND MOTION OF SCOTT WALDMAN FOR  
APPOINTMENT AS LEAD PLAINTIFF AND FOR APPROVAL OF  
SELECTION OF LEAD COUNSEL**

**WOLF POPPER LLP**

Marian P. Rosner (MR - 0410)  
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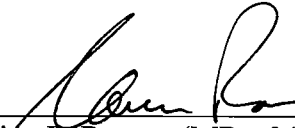
**NOTICE OF MOTION**

PLEASE TAKE NOTICE that Plaintiff Scott Waldman will hereby move this Court, on a date and at such time as may be designated by the Court, for an Order (attached hereto as Exhibit A): (i) appointing Scott Waldman as Lead Plaintiff; (ii) approving Lead Plaintiff's selection of the law firm of Wolf Popper LLP to serve as Lead Counsel; and (iii) granting such other and further relief as the Court may deem just and proper. In support of this Motion, Scott Waldman submits herewith a Memorandum of Law and Declaration of Patricia I. Avery, dated July 10, 2007.

Dated: July 10, 2007  
New York, New York

Respectfully submitted,


WOLF POPPER LLP

By:   
Marian P. Rosner (MR - 0410)  
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Attorneys for Scott Waldman

**CERTIFICATE OF SERVICE**

I, E. Elizabeth Ferguson, hereby certify that on July 10, 2007, I caused a true and correct copy of the attached document to be served by U.S. Mail, postage prepaid, or Federal Express, on the parties, or their counsel of record, identified on the attached service list:

  
\_\_\_\_\_  
E. Elizabeth Ferguson

**SERVICE LIST**

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| <p><b>Kaplan Fox &amp; Kilsheimer LLP</b><br/> Jeffrey Philip Campisi<br/> Frederick S. Fox<br/> Donald R. Hall<br/> 805 Third Avenue<br/> New York, NY 10022</p> <p>Attorneys for Plaintiff Gerald Manowitz</p>  | <p><b>Lawrence R. Gelber</b><br/> Lawrence Robert Gelber<br/> 34 Plaza Street East,<br/> Suite 1107<br/> Brooklyn, NY 11238</p> <p>Attorneys for the Defendant Kevin Cassidy</p>  |
| <p><b>Kelley Drye &amp; Warren, LLP (CT)</b><br/> Mark Scott Gregory<br/> Thomas Benjamin Kinzler<br/> Christine Schessler Poscablo<br/> Kevin James Smith<br/> Two Stamford Plaza<br/> 281 Tresser Boulevard<br/> Stamford, CT 06901</p> <p>Attorneys for Defendant Optionable, Inc.</p> | <p><b>Kahn, Gauthier Law Group, L.L.C.</b><br/> Lewis Stephen Kahn<br/> 650 Poydras St.<br/> Suite 2150<br/> New Orleans, LA 70130</p> <p>Attorneys for Plaintiff Alexander Fleiss</p>  |
| <p><b>Kahn Gauthier Swick, LLC</b><br/> Kim Elaine Miller<br/> 12 East 41st Street<br/> 12th Floor<br/> New York, NY 10017</p> <p>Attorneys for Plaintiff Alexander Fleiss</p>  | <p><b>Connell Foley LLP</b><br/> Peter Joseph Pizzi<br/> 888 7th Avenue<br/> New York City, NY 10106</p> <p>Attorneys for Defendant Albert Helmig</p>   |
| <p><b>Sarraf Gentile, LLP</b><br/> Ronen Sarraf<br/> 485 Seventh Avenue<br/> New York, NY 10018</p> <p>Attorneys for Plaintiff Jagdish Patel</p>  | <p><b>Lerach, Coughlin, Stoia, Geller, Rudman &amp; Robbins, LLP(LIs)</b><br/> Mario Alba, Jr<br/> David Avi Rosenfeld<br/> Samuel Howard Rudman<br/> 58 South Service Road<br/> Suite 200<br/> Melville, NY 11747</p> <p>Attorneys for Plaintiff Jonathan Glaubach</p> |

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|--|---|
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